

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CLINTON GOODRICH, Husband,)
and RUTH GOODRICH, Wife,)

Plaintiffs,)

v.)

ARGENT MORTGAGE, Company,)
LLC, FIRST SOURCE)

MORTGAGE, Corp., and CITI)
RESIDENTIAL LENDING, Inc.,)

Defendants.)

4:08CV3070

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On December 8, 2008, the court entered a Memorandum and Order compelling the plaintiffs to answer Argent Mortgage's pending interrogatories and to serve the defendant First Source Mortgage no later than January 5, 2009. (Filing No. [36](#).) The court warned the plaintiffs that failure to comply with the Memorandum and Order would result in dismissal of their claims against Argent Mortgage and First Source Mortgage without further notice. (*Id.*) The plaintiffs have not responded to Argent Mortgage's interrogatories and have not served First Source Mortgage with summons. (*See* Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. Plaintiff's claims against defendant Argent Mortgage Company and First Source Mortgage Corporation are dismissed without prejudice.

2. A separate progression order will be entered progressing the plaintiffs' claims against the remaining defendant Citi Residential Lending, Inc.

Dated January 22, 2009.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge